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An organization which rejects the method of the struggle for profit as the economic base for society; which seeks to replace it with social-economic planning in order to develop a society without class distinctions and privileges.

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CAN LABOR UNITE?

RELATIVE GROWTH OF A.F. OF L. AND C.I.O.

The American Federation of Labor: From 1897 until 1920 there was a steady growth in membership. During the next decade membership declined from 4,078,740 in 1920 to 2,126,796 in 1933. The three years following witnessed further growth until in 1936 the number of workers enrolled was 3,422,398. The figures which total the present membership, as of August, 1937, indicate that a somewhat lower number, namely 3,271,726 men and women, now belong to the American Federation of Labor.

The Committee for Industrial Organization: This body was organized in November, 1935, following the refusal of the Atlantic City Convention of the American Federation of Labor to support an aggressive program for organizing the mass-production workers. The membership of the 10 C.I.O. unions suspended for such organization on August 5, 1936, numbered 1,000,000. Thirteen months later, in September, 1937, the C.I.O. had an enrollment of 3,718,000 members—representing textile, automobile, garment, rubber, lumber, electrical manufacturing, power, steel, coal, oil, shipbuilding and transport industries. Here is competition that creates division and leads to conflict.

INCREASING BITTERNESS OF THE FIGHT

Attitude of William Green: During the past year William Green, President of the A.F. of L. has become increasingly bitter toward the C.I.O. and its chairman, John L. Lewis. In his Labor Day Address he denounced Lewis's "autocratic and dictatorial attitude" toward President Roosevelt. After the C.I.O. unions were suspended by A.F. of L. executive order, Green referred to them in the same speech as "secessionists." He said that if they do not return to the fold "the responsibility for the division of the ranks of labor falls upon them." Further on this occasion he said that receiving and accepting Communist support "marks the difference between the A.F. of L. and the C.I.O. The A.F. of L. will have nothing to do with Communism, and will combat this destructive force in the front line trenches of our social order." At the opening of the recent A.F. of L. Convention Green stated that the A.F. of L. will fight the enemy, the C.I.O., with every resource at their command.

Attitude of John L. Lewis: The leader of the C.I.O. insists that the organization has the same objective today as it had at its beginning: "to strive for the unionization of our unorganized millions of workers, and for acceptance of collective bargaining as a recognized American institution." Before the United Automotive Workers' Convention in Milwaukee, August 27, 1937, he said that "the C.I.O. has no quarrel with the A.F. of L. as such. It is quite content that the unions in that organization continue to serve their membership in any manner that is satisfactory to that membership. The C.I.O. did not start out to reorganize the organized workers of this country. It started out to organize the unorganized." Far from embracing Communism, John L. Lewis declares that "unionization fully recognizes the institution of private property and the right to the investment of profit." In his radio address of September 3, 1937, he goes on to say, "the organized workers of America, conscious partners in production, secure in their homes and enjoying a decent standard of living, will prove the finest bulwark against the intrusion of alien doctrines of government." John L. Lewis has stated his belief in the identity of economic interest between laborers and farmers, the necessity for those groups to make their political influence felt, and the threat which vigilantism represents to the maintenance and further development of American democratic institutions.

HELPING THE EMPLOYERS

Official Sabotage: The attitude of Green and the Executive Council pushes the A.F. of L. into collusion with employers. When the C.I.O. started to organize the Ford plant, one of Green's staff, F. J. Dillon, telegraphed Edsel Ford denouncing the sit-down (sometimes labor's only weapon in the fight for economic justice—see our *Bulletin* April, 1937) as "repulsive and demoralizing." He expressed the "sincere hope that you will view with favor the desire of the A.F. of L. to cooperate with management generally in preserving industrial peace." After the leaders of the C.I.O. Mine, Mill, and Smelter Workers' Union in Galenta, Kansas, were beaten up by company thugs and the offices of the union wrecked, the A.F. of L. granted a charter to the company union. In an effort to organize the mass production industries A.F. of L. charters have been issued to company unions on a considerable scale. Employers are discovering new enthusiasm for A.F. of L. principles. They find convenient and desirable to sign closed shop agreements with A.F. of L. affiliates, thereby escaping the necessity of bargaining collectively with C.I.O. unions.

Important cases: In the November 20th issue of *The Nation,* we read that "the National Labor Relations Board recently ordered the Consolidated Edison Company of New York and six affiliated companies to break their contracts with an A.F. of L. union, the International Brotherhood of Electrical Workers, on the ground that the company imposed the A.F. of L. union on their employees and discriminated against the C.I.O. affiliate, the United Radio and Electrical Workers of America. The story of how Consolidated Edison 'encouraged' its employees to join the I.B.E.W., which offered no objection to playing the role of a company union, is spread out fully in the record on which the board's decision was based."

The episode of the *Algic* reveals the role A.F. of L. leaders are playing in the struggle between marine labor and the United States Government. The crew of this ship, members of the National Maritime Union, struck in Montevideo in September against working cargo in that port with scab labor that was very incompetent as well. Upon threat of being "put in irons," the strikers went back to work. When the ship arrived in Baltimore fourteen of the crew were arrested and put on trial before a casualty board of the Bureau of Marine Inspection. They were charged with "conspiracy to deprive the captain of control." The A.F. of L., through Green, supported the Maritime Commission in what amounted to an attack on the National Maritime Union.

On the west coast, dictator Beck of the A.F. of L. teamsters' union has been waging war against the longshoremen's organization headed by Bridges, C.I.O. leader on the coast. By calling a widespread strike along the coast of teamsters against C.I.O. longshoremen and warehousemen, Beck attempted to force the organization of a new union under his jurisdiction within the A.F. of L.

Attempts to Weaken the National Labor Relations Board: In recent months powerful financial and industrial interests have attacked the Board, and Green has joined them. When decisions of the Board have gone against the C.I.O., as they often have, the leaders of that organization are also disappointed and dissatisfied. However their attitude is much different from that of Green and the A.F. of L. executives. The C.I.O. is in favor of continuing the Board in its present form, despite the fact that decisions have gone against them. On the other hand, the A.F. of L. leadership falls in line with the demand of reactionary employers to scrap the Board itself. In a letter to Chairman Norton, of the House Labor Committee, in which he declared that the A.F. of L. would not endorse the Wages and Hours bill in its present form, Green spoke thus of the National Labor Relations Board: "It is now apparent that such administration by the National Labor Relations Board has repudiated generally accepted concepts and disrupted tried and tested principles of collective bargaining between capital and labor. It has impaired and destroyed rights of contract and property upon which labor has hitherto predicated its very existence and continued progress. Such administration has brought turmoil into industrial relations, has usurped the prerogatives of the courts essential to the preservation of our democratic form of government and has jeopardized industrial freedom and initiative." (*New York Times,* Nov. 23, 1937.)

EFFORTS TOWARD UNITY

The Attitude of the Rank and File: The spirit of the rank and file demands A.F. of L.-C.I.O. unity today. The most important factor making for unity is the example of widespread A.F. of L.-C.I.O. cooperation on political and economic fronts. In Chicago the business agents of the A.F. of L. printers are sitting in on Newspaper Guild, C.I.O., negotiations with the Hearst press. In Gary and Hammond, Indiana, the C.I.O. and A.F. of L. technical employees' unions are cooperating in an organizing drive. In Colorado the State Federation has flatly defied the A.F. of L. executive council order for expulsion of C.I.O. unions. In New York City elections C.I.O. and A.F. of L. workers went down the line for LaGuardia. The same was true in Pittsburgh, and in the steel, glass and aluminum towns of western Pennsylvania. Here there was complete A.F. of L.-C.I.O. unity on the political field. In these actions the purposeful voice of American Labor speaks. The rank and file today seek the unity of all labor in the struggle to defend and advance the free and unhampered right to organize.

Popular Demand: Through joint action in strikes and the common fight against the alliance of craft cliques and employers, the mass base for labor unity is being established. Illustrative of the consequent pressure to achieve unity at all costs is the movement started

by the central labor bodies of Kenosha and Sheboygan, Wisconsin, to gather 1,000,000 labor signatures demanding an end of the labor civil war. Only a united labor movement can cope with the depression-impelled drive of business interests on Congress to deprive labor of its legal guarantees of freedom of action. Only a united labor movement can exert real power in local and state politics.

The C.I.O.'s Contribution: The Atlantic City Conference of the Committee for Industrial Organization, anxious to establish unity in the ranks of labor, wired the Denver Convention of the American Federation of Labor, proposing that one hundred representatives from each body meet and discuss the possibility of unity and peace. William Green attempted to evade this move by declaring that the C.I.O.'s proposals were "made in bad faith." The C.I.O. lifted its emphasis on the size of the committees to confer on behalf of the two organizations. On October 14th the A.F. of L. wired the C.I.O. stating its willingness to meet through small committees. The next day the C.I.O. informed the A.F. of L. that a ten-man committee was appointed. The week of October 25th was selected as the time for conference in Washington. The A.F. of L. replied accepting the date and place, likewise naming its own committee. After a bad beginning the conference is now considering a formula which gives some promise of removing the bone of contention, which is the question of who shall have jurisdiction over certain unions.

Where the Issue Lies: Insofar as labor already is cooperating locally on the basis of joint action in strikes and in opposition to the alliance of craft cliques and employers against the majority of workers, a degree of unity among the rank and file is already being achieved. In a shoulder-to-shoulder struggle on political and economic fronts, locally and nationally, real fusion will be forged. This kind of coalition means much more than any diplomatic formulae derived from officialdom's conferences. Unity on terms of the Greens and Wolls and Freys could only resemble the classic unity of the lion who walked off with the lamb. Basically it is not the craft and industrial union structures that are in conflict—rather it is the vested clique interests in the present dues-paying craft structure who are in opposition to the entire labor movement, A.F. of L. and C.I.O. The path to unity calls for more examples of practical A.F. of L.-C.I.O. cooperation in local situations and a joint convention of representatives from all sections of both organizations where rank and file pressure could force the hand of union officialdom.

A.F. OF L. AND C.I.O. PROGRAMS SUMMARIZED

The American Federation of Labor: The spirit of the Denver convention of the A.F. of L. was decidedly militant, but this militancy was not focused upon the employers. It was directed against fellow workers identified with the C.I.O. The first two of five recommendations prepared by Matthew Woll and adopted call for a special committee to continue peaceful negotiations with the C.I.O. but reassert the power of the Executive Council to revoke the charters of C.I.O. unions. This means that these regulations leave the way open for the expulsion of some unions and peaceful overtures to others in the hope of splitting the C.I.O. The third recommendation strongly affirms the A.F. of L.'s non-partisan political policy and lists as labor's enemies "all who would in any way favor, encourage or support the C.I.O." The fourth recommendation calls for aid from politicians and employers in suppressing "a dictatorship" of "greedy leaders of labor who have forsaken their trust." Finally there is a call to arms against "autocracy, against rebellion, against an alliance of American greed and alien Communism." Nothing better summarizes the conservative trend of the convention than the absence of a single resolution urging the formation of a farmer-labor party.

The Committee for Industrial Organization: The resolutions adopted by the C.I.O. Conference in Atlantic City reflect a signal awareness of the needs of the membership. In defense of democratic rights and on behalf of an awakening public conscience the Conference condemned: the Memorial Day Massacre in Chicago, the assaults on maritime organizers on the New York water front, the anti-labor policies of the Federal Communications' Commission, and the anti-union activities of local and state authorities during the steel strike. The Conference expressed itself in favor of: improved working conditions for government employees, the organization of government employees, the continuation of the LaFollette Civil Liberties Investigation, the Federal investigation of vigilante groups, the rights of seamen upon ships, the Wagner-Steagall Housing Bill, the National Labor Relations Board, collective bargaining through industrial unions, and a boycott of Japanese goods. These resolutions give clear indication that the C.I.O. program is identified with the needs of millions of workers in America and that it is rooted in the dynamic political and economic issues of our time.

LABOR AND THE PRESENT SESSION OF CONGRESS

The demand for Union Incorporation: At the present time a powerful campaign is being carried on throughout the country for the incorporation of trade unions and for their regulation by government officials. In formulating one's own opinion about this issue the following facts should be kept in mind: business is not required to incorporate. Business men are free to operate either as individuals, as co-partnerships, or as voluntary associations. But they wish to make incorporation of unions compulsory. The purpose of incorporation of business is to limit liability, not to establish it. Incorporation of trade unions seeks to

establish liability in such a way as to hold the central organization responsible for irresponsible acts of individuals such as spies, and strike-breakers.

Businesses are set up for the purpose of making profits. Trade unions are non-profit making organizations. This is a difference that is recognized in both state and federal laws. Combinations of business men, such as the various trade associations, "citizens committees," "law and order leagues," industrial associations and other anti-union bodies, are not required to and do not incorporate.

Responsibility under Existing Laws: In this country unions are already liable for illegal acts, even when they are allegedly committed on their behalf. Their leaders and members are subject to both criminal and penal laws. Under them union members have been repeatedly prosecuted for alleged violence and destruction of property. As combinations of working men they are subject to prosecution under conspiracy statutes. These have been widely used against labor organizations when no real crime could be charged as the basis of prosecution. Unions are liable under civil law for breach of contract.

The Sherman Anti-Trust Act imposes both civil and criminal liability upon labor unions. Under this law, in the Danbury Hatters case, a judgment was obtained against the Hatters' union totalling $234,000. This was paid in full. In the Coronado Coal Company case in 1922, the United Mine Workers paid damages of $27,500.

Compulsory incorporation of trade unions would lead to endless lawsuits and would serve to hamstring union labor. Professor Robert Brooks in his recent book, "When Labor Organizes," states that if this were true, "a spy might by appeal to the courts expose the membership rolls of a union to an agent willing to relay information to employers' black lists. If a court decides that a union is not 'living up to the purposes of its charter' the union's funds may be attached and a receiver appointed for its affairs. Since a corporation technically exists forever, a small minority of stockholders planted by a spy agency in the union may prevent it from transferring its allegiance from the A.F. of L. to the C.I.O. by holding on to funds, records and other assets."

For a generation responsible labor leaders have opposed incorporation as a device that would only facilitate the destruction of unions through repeated damage suits.

Registration of Unions in Great Britain: Contrary to popular opinion unions are not required to incorporate in Great Britain. English law requires the registration of unions as friendly or benefit societies, publicity for accounts of union funds, and written permission from union members to allow the use of funds for political purposes.

The British and American labor situations are quite dissimilar. Unionization and collective bargaining are accepted in Great Britain to a greater extent than is true here. British unions include 30 per cent of the workers, American unions about 10 per cent. In Great Britain there is a better argument for government supervision of labor unions. The British unions administer the government's unemployment insurance and old age pensions. Moreover, in 1906, registered unions in Great Britain were relieved from liability for acts of their agents in labor disputes (which is not true in this country). This provision went far toward persuading the unions to accept registration.

Let us bear in mind that registration is not incorporation, and in the words of Mark Starr, of the International Ladies Garment Workers' Union, "it does not in any way give the government the right to interfere with the administration of unions." The Trades Disputes Act has not been successful in stimulating the growth of labor's influence. Its passage enabled labor to crystallize earlier gains, but left it impotent to make further advance.

At the Mercy of the Courts: The history of our country has shown that the courts have persistently represented the point of view and the special interests of the employers groups. A. A. Heist, of the Department of Education and Public relations for the C.I.O., reminds us that "the money forces of a city can always pick a judge of their viewpoint. The worst thing about the incorporation of unions is that when they are brought into court a reactionary judge may throw them into receivership, so that all the affairs of the union become subject to the will of the judge through the kind of receiver he appoints. Hence all that a manufacturing association needs to do is to make sure that they control the judge, and so make null and void years of struggle on the part of a union to secure a satisfactory contract." The courts, the whole legal machinery of the country, have been used to deny and defeat the rights of organized labor through damage suits, injunctions and criminal and civil law. The powers of government are still dominated by employers. The unions must contend for freedom of action.

The Present Task: It is very doubtful that incorporation of unions is constitutional in this country. There is every reason to believe that it is not. Probably the powerful financial and industrial interests in the United States realize this and are using incorporation as a smoke screen behind which to exert pressure on Congress to so amend the Wagner Act as to secure governmental financial inspection of labor unions through which they could be crippled. Public attention must be focused on this point. This is where all labor forces and all progressive groups can and must cooperate to prevent reaction from nullifying the right of labor to organize—a right which progressive public opinion compelled to be granted.

For the preparation of this Bulletin we are indebted to Rev. Jule Ayers.

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